

**Order to Show Cause RE: Failure to Prepare a Court Order as Requested on
3/12/10**

| | | | | | | | |
|--|---|---|------------------------|------------------------------|-----------------|------------------------|---------------------|
| Age: 50 years DOB: 2/6/1965 | ARMENTA BURRIS , sister, was appointed conservator on 8/17/2005. Court Investigator Jennifer Young filed a Petition for Transfer on 11/25/14 to be heard on 01/15/15, requesting this proceeding be transferred to Tulare County because the conservatee has resided there for over five years. | NEEDS/PROBLEMS/COMMENTS: Note: In reviewing the file for the 01/15/15 hearing, the examiner discovered that on 3/12/2010 the court approved a Petition for Authority to Deposit Sale Proceeds [from the sale of real property] into a Pooled Special Needs Trust with changes to the Master Trust that were agreed on the record by Ms. Ratzlaff. The order was to be signed ex parte. No order is in the file allowing the funds to be placed into a pooled special needs trust. There is a receipt filed on 7/29/2009 showing that the proceeds of the sale of the real property [\$54,793.10] were placed into Attorney Ratzlaff's Attorney-Client Trust account. | | | | | |
| Cont. from | | | | | | | |
| Aff.Sub.Wit. | Minute Order from hearing on 01/15/15 reflects that there were no appearances and set this hearing for an Order to Show Cause as to Ruth Ratzlaff and Armenta Burris for failure to appear and also ordered that both be present on 03/05/15. The Court further ordered that Ruth Ratzlaff is to report to the Court as to the status of the conservatorship funds. Ms. Burris may appear via CourtCall. Clerk's Certificate of Mailing dated 01/15/15 states that a copy of the 01/15/15 minute order was mailed to Ruth Ratzlaff and Armenta Burris on 01/15/15. | <table border="1"> <tr><td>Reviewed by: JF</td></tr> <tr><td>Reviewed on: 02/27/15</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 1 - Lee</td></tr> </table> | Reviewed by: JF | Reviewed on: 02/27/15 | Updates: | Recommendation: | File 1 - Lee |
| Reviewed by: JF | | | | | | | |
| Reviewed on: 02/27/15 | | | | | | | |
| Updates: | | | | | | | |
| Recommendation: | | | | | | | |
| File 1 - Lee | | | | | | | |
| Verified | | | | | | | |
| Inventory | | | | | | | |
| PTC | | | | | | | |
| Not.Cred. | | | | | | | |
| Notice of Hrg | | | | | | | |
| Aff.Mail | | | | | | | |
| Aff.Pub. | | | | | | | |
| Sp.Ntc. | | | | | | | |
| Pers.Serv. | | | | | | | |
| Conf. Screen | | | | | | | |
| Letters | | | | | | | |
| Duties/Supp | | | | | | | |
| Objections | | | | | | | |
| Video Receipt | | | | | | | |
| CI Report | | | | | | | |
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| Order | | | | | | | |
| Aff. Posting | | | | | | | |
| Status Rpt | | | | | | | |
| UCCJEA | | | | | | | |
| Citation | | | | | | | |
| FTB Notice | | | | | | | |

Status Hearing Re: Filing of the Final Account and Petition for Distribution

| | | |
|--------------------------|---|--|
| DOD: 07/19/96 | MINNIE MAYFIELD-JOHNSON , daughter, was appointed as Administrator with limited IAEA authority and without bond on 02/28/06. | NEEDS/PROBLEMS/COMMENTS: |
| | Letters of Administration were issued on 02/28/06. | |
| Cont. from 090414 | Inventory & Appraisal, final, filed 11/23/05 - \$40,000.00 | 1. Need Final Account and Petition for Final Distribution. |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | Inventory & Appraisal, Reappraisal for Sale, filed 04/05/07 - \$160,000.00 | |
| PTC | | |
| Not.Cred. | Order for Settlement of the First Account was filed on 05/08/2014. | |
| Notice of Hrg | Minute Order of 05/08/2014 set this matter for the Filing of the Final Account and Petition for Distribution. | |
| Aff.Mail | | |
| Aff.Pub. | Status Report filed 03/03/2015 states the estate remains open with assets consisting of the real property located at 727 Pottle Avenue, Fresno, with current value estimated at approximately \$40,000.00 and rental income accumulated and held in the attorney-client trust account in the amount of \$15,175.17 as of February 28, 2015. During the administration of this estate, ownership of the real property located at 727 Pottle was contested. Wanda Smith being a beneficiary of the estate and occupying the property claiming ownership. On or about March 1, 2010, a settlement agreement was entered into to resolve the dispute. By the terms of the Settlement, Wanda Smith was granted a lease with an option to purchase the property for the amount of \$50,000.00. Wanda Smith did not exercise the option and it expired on 08/31/2011. Upon the expiration of the option, based on the depressed real estate market and the marketability of the property, or lack thereof, the Administrator and the beneficiaries have been in agreement to keep the current rental agreement in place on a month to month basis until the property appreciated in value to the amount agreed upon in the settlement agreement and then a sale be attempted again to Wanda Smith for \$50,000.00 subject to her ability to obtain financing. If is (sic) believed the highest and best price for the property would be obtained if the property were in fact sold to Wanda Smith; however, if the estate sold it to her today, Wanda Smith would benefit from her own breach of contract while the other beneficiaries would receive almost nothing after payment of attorney's fees and court costs in connection with the litigation of the title issues and the payoff of a rehabilitation loan in favor of the County of Fresno for approximately \$25,000.00. If the property were to be distributed to the heirs in accordance with their ownership interest, it is anticipated the parties would end up back in court litigating a partition action. It is requested the administration of the estate remain open until the property can be sold to Wanda Smith at the price of \$50,000.00 per the settlement agreement. | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 02/27/2015 |
| | | Updates: 03/03/2015 |
| | | Recommendation: |
| | | File 2 - Mayfield |

3 Judith Louise Wright (Estate)**Case No.****06CEPR00933****Atty McDonald, Jackie (Pro Per – Sister-in-Law – Former Executor)****Atty Kruthers, Heather (for Public Administrator)****Order to Show Cause as to Jackie McDonald for Failure to File the First Account**

| | | |
|---------------------------------|--|--|
| DOD: 8-19-06 | <p>JACKIE MCDONALD, Sister-in-Law, was appointed as Executor with Full IAEA without bond on 10-10-06. Letters issued 10-23-06. Ms. McDonald was originally represented by Attorney Roger W. Krouskup of Selma, CA.</p> <p>Inventory and Appraisal filed 1-17-07 indicated a total estate value of \$333,566.08 consisting of residential real property in Kingsburg, personal property and cash.</p> <p>Three Creditor's Claims were filed totaling \$13,646.39.</p> <p>Pursuant to a Substitution of Attorney filed 4-20-10, Ms. McDonald is now self-represented.</p> <p>Nothing further was filed in this case until the Court set status hearing for failure to file a first account or petition for final distribution.</p> <p>On 1-22-15, the Court removed Ms. McDonald as Executor and appointed the PUBLIC ADMINISTRATOR. Minute Order states Ms. McDonald is still ordered to file and serve her first account, turn over any and all documents regarding the estate, and to be personally present in Court on 3-5-15.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This estate was opened approx. eight (8) years ago. Pursuant to Probate Code §12200, this estate should have been closed in one year. No status report has ever been filed. There have been at least three creditor's claims filed. The following issues remain noted:</p> <ol style="list-style-type: none"> 1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to Local Rule 7.5. 2. The heirs of the estate are the decedent's two children, Steven Wright and Tina Mitchell, both adults. It does not appear that either of them have been given notice of any of the status hearings that have been held. The Court may require service of Notice of Hearing on the heirs for this and all future hearings. 3. The Executor has not filed or served Allowance or Rejection of Creditor's Claim for the three claims filed. See Probate Code §9250 et seq. |
| Cont from 120414, 012215 | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | <p>Reviewed by: skc</p> | |
| Status Rpt | <p>Reviewed on: 3-2-15</p> | |
| UCCJEA | <p>Updates:</p> | |
| Citation | <p>Recommendation:</p> | |
| FTB Notice | <p>File 3 - Wright</p> | |

1) First and Final Account and Report of Executor, and 2) Petition for its Settlement, 3), for Allowance of Attorney's Fees, 4) and for Final Distribution

| | | | |
|-------------------------------------|--|---|--|
| DOD: 5/29/2009 | | <p>DALE GEORGE MELL, Executor, is petitioner.</p> <p>Account period: 5/29/09 – 10/31/14</p> <p>Accounting - \$247,149.88 Beginning POH- \$235,148.78 Ending POH- \$229,744.11</p> <p>Executor - waives</p> <p>Attorney - \$7,702.98 (statutory)</p> <p>Petitioner states the Will devises a life estate in the real property to the surviving spouse Alene Mell. Will states that Alene shall be responsible for paying any property taxes, assessments, insurance, maintenance, and ordinary reports on the property during the tenure of the life estate. Petitioner states he the estate has expended the sum of \$12,001.10 in payment of such property taxes, assessments, insurance, maintenance, and ordinary repairs on this property during the tenure of the life estate. Alene had not repaid the estate for said sums. Petitioner requests the amounts owed by Alene be reflected in the judgment for distribution entered herein, and be established a lien in favor of the holders of the remainder interest, namely Dale G. Mell. Larry F. Mell, Dale L. Mell and Tina L. Liles.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Amended Petition filed and set for hearing on 3/3/15.</p> |
| Cont. from 121814, 020515 | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input checked="" type="checkbox"/> | Inventory | | |
| <input checked="" type="checkbox"/> | PTC | | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail <input type="checkbox"/> W/ | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. <input checked="" type="checkbox"/> X | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters 1/14/13 | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: KT</p> <p>Reviewed on: 2/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Mell</p> | |

First Amended (1) Waiver of Accounting and Report of Executor and (2) Petition for Settlement of the Estate; (3) for Allowance of Statutory Executor's Compensation; (4) Waiver of Statutory Attorney's Fees; (5) and for Final Distribution

| | | | |
|-------------------------------------|----------------------|---|--|
| DOD: 02/14/13 | | JUDGE SINGH BRAR , Executor, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | Accounting is waived. | |
| | | I & A - \$2,812,626.95 | 1. The Petition indicates that the attorney is being compensated outside of the probate estate and waives any compensation from the estate. However, compensation, even if paid outside of the estate may not exceed the compensation for conducting ordinary proceedings pursuant to Probate Code § 10810. Any agreement for higher compensation is void pursuant to Probate Code § 10813. The Court may require more information as to the nature and amount of compensation that is being paid outside of the estate. |
| | | POH - \$2,830,325.58 | |
| | | (\$118,742.58 is cash) | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Executor - \$41,126.00 (statutory) | |
| <input checked="" type="checkbox"/> | Verified | Attorney - waived | |
| <input checked="" type="checkbox"/> | Inventory | Closing - \$3,500.58 | |
| <input checked="" type="checkbox"/> | PTC | | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Distribution, pursuant to Decedent's Will and subject to Assignments of Interest and Agreements between Heirs Concerning Distribution of Real Property in Undivided Interests, is to: | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/o | |
| <input type="checkbox"/> | Aff.Pub. | Judge Singh Brar - \$18,529.00 cash, plus a 1/3 interest in an undivided 25% interest in real property located at 568 W. Mesa, Clovis; 1/4 interest in real property located at 1553 Celeste, Clovis; 1/4 interest in real property located at 2260 Herndon, Clovis; and a 1/4 interest in household furniture, furnishings and personal effects | |
| <input type="checkbox"/> | Sp.Ntc. | Jastej Singh Brar - \$18,529.00 cash, plus a 1/3 interest in an undivided 25% interest in real property located at 568 W. Mesa, Clovis; 1/4 interest in real property located at 1553 Celeste, Clovis; 1/4 interest in real property located at 2260 Herndon, Clovis; and a 1/4 interest in household furniture, furnishings and personal effects | |
| <input type="checkbox"/> | Pers.Serv. | Rajinder Singh Brar - \$18,529.00 cash, plus a 1/3 interest in an undivided 25% interest in real property located at 568 W. Mesa, Clovis; 50% interest in real property located at 1553 Celeste, Clovis; 16 23% interest in real property identified as APN: 315-030-25; 1/4 interest in real property located at 2260 Herndon, Clovis; and a 1/4 interest in household furniture, furnishings and personal effects | |
| <input type="checkbox"/> | Conf. Screen | Jegindar Kaur Gill - \$18,529.00 cash, plus 1/4 interest in real property located at 2260 Herndon, Clovis; plus a 1/4 interest in household furniture, furnishings and personal effects | |
| <input type="checkbox"/> | Letters | 06/12/13 | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |

Petition for Final Distribution on Waiver of Account; and for Allowance of Statutory Compensation and Necessary Fees and Costs

| | | | |
|-------------------------------------|----------------------|--|---|
| DOD: 02/06/14 | | MARGARET REYNOLDS , Executor, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. The petition appears to propose to distribute the property on hand to Margaret Reynolds as an individual, however, the Will appears to possibly distribute the property to Margaret Reynolds as Trustee of a Testamentary Trust as outlined in Decedent's will at articles Fifth and Sixth. Need clarification. |
| | | Accounting is waived. | |
| Cont. from | | I & A - \$1,411,398.81 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | POH - \$1,455,898.81 | |
| <input checked="" type="checkbox"/> | Verified | (\$569,498.81 is cash) | |
| <input checked="" type="checkbox"/> | Inventory | Executor - waived | |
| <input checked="" type="checkbox"/> | PTC | Attorney - \$24,000.00 (less than statutory) | |
| <input checked="" type="checkbox"/> | Not.Cred. | Costs - \$3,091.40 (filing fees, publication, certified copies, probate referee, recording fees) | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Closing - \$1,000.00 | |
| <input checked="" type="checkbox"/> | Aff.Mail | Distribution, pursuant to Decedent's will, is to: | |
| | Aff.Pub. | Margaret Reynolds - \$418,989.91 cash; personal property, including household furnishings, a 2012 Chevy pickup, and various farm equipment valued at \$68,900.00; Decedent's ½ community property interest in various parcels of real property valued at \$817,500.00 | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | 06/06/14 | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: JF |
| | | | Reviewed on: 03/02/15 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 6 - Reynolds |

Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)

Atty Rosenbalm, Rochelle (Pro Per Conservator)

Petition for Substituted Judgment [§§ 2580(a)(1) and 2580 (b)(11)]

| | | | | | |
|---|---------------|---|---------------------------|---|--|
| | | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: | |
| | | | | <ol style="list-style-type: none"> Need proof of service of GC-020 (Notice of Hearing) at least 15 days prior to the hearing pursuant to Probate Code §2581 on the Conservatee, all beneficiaries of the trust, and all intestate heirs, which may include: <ul style="list-style-type: none"> - Linda Courtney (Daughter) - Olivia Ramie (Daughter) - Richard Natividad (Son) - Lucy Dodge (Daughter) - Mickie Lewis (Daughter) - Todd Rosenbalm (Grandson) - Christine Rosenbalm-Ybarra (Granddaughter) - Richard Ramie (Grandson) - Justin Natividad (Grandson) - Jeremy Natividad (Grandson) - Stephany Dodge (Granddaughter) - Bryan Dodge (Grandson) - Ted Harrison (Grandson) - Dolores Gonzales (Granddaughter) - Michelle Harrison (Granddaughter) The settlement agreement referenced is not attached to the petition. Petitioner does not provide copies of the trust, the 2002 modification, or the 2014 modifications. The Court may require this documentation pursuant to Probate Code §§ 2583(f), 2586. This petition does not provide specifics as to what changes are being made to the trust. The Court may require the proposed documentation for review, as it appears the proposed changes do more than simply nullify the 2014 modifications. Need order. | |
| | | | | Reviewed by: skc | |
| | | | | Reviewed on: 3-3-15 | |
| | | | | Updates: | |
| | | | | Recommendation: | |
| | | | | File 7 - Keehn | |
| | Aff.Sub.Wit. | | | | |
| ✓ | Verified | | | | |
| | Inventory | | | | |
| | PTC | | | | |
| | Not.Cred. | | | | |
| | Notice of Hrg | x | | | |
| | Aff.Mail | | | | |
| | Aff.Pub. | | | | |
| | Sp.Ntc. | | | | |
| | Pers.Serv. | | | | |
| | Conf. Screen | | | | |
| | Letters | | | | |
| | Duties/Supp | | | | |
| | Objections | | | | |
| | Video Receipt | | | | |
| | CI Report | | | | |
| | 9202 | | | | |
| | Order | x | | | |
| | Aff. Posting | | | | |
| | Status Rpt | | | | |
| | UCCJEA | | | | |
| | Citation | | | | |
| | FTB Notice | | | | |

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| | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Per Minute Order 1-22-15, the mother objects; written objections to be filed and served by 2-26-15. As of 3-3-15, no objections have been filed. <u>Note:</u> Per Minute Order 1-22-15, efforts are to be made to properly notice both the mother's biological father, Mike Kelly, and her adopted father, Mark Francis. Notice was sent to Mark Francis on 2-4-15. 1. Need notice Maternal Grandfather Mike Kelly pursuant to Probate Code §1511 and Minute Order 1-22-15 or consent and waiver of notice or declaration of due diligence. | |
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| Cont from 012215 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | | | W |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | | | W |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| ✓ | Clearances | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | | |
| Reviewed by: skc | | | | |
| Reviewed on: 3-3-15 | | | | |
| Updates: | | | | |
| Recommendation: | | | | |
| File 8 – Littleton | | | | |

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|------------------|---------------|--|---|
| DOD: 9-17-11 | | TED HERNANDEZ, Son, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | 40 days since DOD | <u>CONTINUED TO 4-16-15</u> Per Attorney request |
| | | No other proceedings | |
| Cont from 012215 | | I&A: \$105,000.00 | 1. Pursuant to Probate Code §§ 13151, 13152, a petition to determine succession must be brought and verified by all successors in interest. Therefore, need amended petition or joinder by the other five heirs. |
| | Aff.Sub.Wit. | Decedent died intestate | |
| ✓ | Verified | Petitioner requests Court determination that the decedent's 100% interest in real property located at 3086 Fairmont in Fresno passes as follows: | |
| ✓ | Inventory | <ul style="list-style-type: none"> • Susan Barkman: 20% • Yolanda Mendoza: 20% • Ted Hernandez: 20% • Brenda Hernande: 20% • Jennifer Martin: 10% • David Hernandez: 10% | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 3-3-15 |
| | | | Updates: 3-4-15 |
| | | | Recommendation: |
| | | | File 9 - Hernandez |

10A Betty Jean McCoon aka BJ McCoon (Estate) Case No. 14CEPR01117

Atty Wishon, A. Emory, of Motschieder, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)

Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

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|-------------------------------------|----------------------|---|---|
| DOD: 10/9/2014 | | MERILEE EVERETT , niece, and named Executor without bond, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Page 10B is the <i>Petition for Letters of Special Administration with General Powers</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK . Page 10C is the competing <i>Petition for Letters of Administration</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK . Page 10D is the <i>Will Contest and Grounds of Opposition to Probate of Purported Will; and Opposition to Appointment of Merilee Everett as Executor</i> filed by GAY MITCHELL and ELVA VAN BUSKIRK . Note: Order Appointing Special Administrator with Full IAEA Authority which appoints MERILEE EVERETT as Special Administrator with bond fixed at \$490,000.00 was filed 1/27/2015, with <i>Letters of Special Administration</i> to expire 3/5/2015. Court records show bond has not been posted and <i>Letters</i> have not issued. Note: If <i>Petition</i> is granted, Court will set Status Hearings as follows: <ul style="list-style-type: none"> Monday April 6, 2015 at 9:00 a.m. in Dept. 303 for the filing of proof of \$490,000.00 bond; Wednesday, August 5, 2015 at 9:00 a.m. in Dept. 303 for the filing of final inventory and appraisal; and Thursday, May 5, 2016 at 9:00 a.m. in Dept. 303 for the filing of first account and/or petition for final distribution. Per Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required. |
| | | Full IAEA – O.K. | |
| Cont. from 012715 | | Will Dated: 6/10/2004 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | S/ P | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |

Declaration of A. Emory Wishon III in Support of Petition for Probate of Will and for Letters Testamentary filed 12/11/2014, continued:

- The assets of the Decedent included hundreds of original works of art by the Decedent, a commercial artist, and those artworks and many antiques were at the Decedent's home when she died;
- The Petitioner had been asked by the Decedent, her aunt, to be her Executrix many years ago, although Petitioner had never read the Will;
- Following the death of the Decedent and upon being informed that the Will named her Executrix, Petitioner came to the law office of the attorney, **RUSSELL RYAN**, who had prepared the Will, and who introduced the Petitioner to Declarant (Attorney **A. EMORY WISHON**), and Declarant proceeded to advise Petitioner;
- Decedent's home, the furnishings, artworks, and the antiques were at risk at the Decedent's home, and to protect the artworks and antiques from the winter weather (many were stored in a garage in an out building), Declarant instructed Petitioner to take actions necessary to protect the property of the estate pending the appointment of Petitioner as Executrix of the estate;
- Upon that instruction, Petitioner has removed most of the artworks and antiques to a safe, secure commercial storage in Fresno; additionally, Petitioner had an alarm system with security cameras installed at the Decedent's residence;
- **Upon review of the original Will, Declarant noted there are some interlineations; as a precaution in case those interlineations delay the appointment of Petitioner as the Executrix of the estate, Declarant is proposing the simultaneous Petition to the Court of the appointment of Petitioner, first as Executrix, and as an alternative, as the Special Administrator of the Estate [emphasis added];**
- About 12/3/2014 without advance communication, the former caregiver/housekeeper, **RHONDA MORRIS**, and all her family, all of whom were living in the guest house at the Decedent's home, vacated the property and, without authorization, removed some of the remaining artworks, antiques and furnishings;
- Petitioner is attempting to file a police report for the theft of those items;
- Because a number of items and furnishings remain in the now unoccupied house and therefore are at some continuing risk, it is prudent for the Court to appoint Petitioner as the Estate representative, ideally as Executrix, but if not as Executrix, then as the Special Administrator in order to have the immediate appointment of a responsible representative of the Estate and its assets.

Declaration of Merilee Everett in Support of Petition for Probate of Will and for Letters Testamentary filed 1/22/2015 states:

- In case the reader is not familiar with BJ McCoon, an article from the Fresno Bee issue of 10/15/2014 is attached as *Exhibit A*; Petitioner Merilee Everett is the Decedent BJ McCoon's niece, and is an artist; she lived with BJ McCoon in her early twenties and studied painting with her; Ms. McCoon was a very strong person with particular view on life and art, which she passed on to her; she feels that she knew Ms. McCoon better than anyone else and have been told by her friends that she also stated that Petitioner understood her better than anyone;
- Many years ago, Ms. McCoon asked Petitioner if she would be willing to be the executor of her estate, knowing that she would do things as she would want them to be done; she agreed to do that wholeheartedly; she made her a promise, and she has kept that promise since she passed away;
- She also had to live through the experience of Ms. McCoon's home being robbed and trashed by the former caregiver, and she feels it is her duty to make certain that the caregiver is punished to the fullest extent of the law for her actions and disrespect to her aunt and her property;

~Please see additional page~

Declaration of Merilee Everett in Support of Petition for Probate of Will and for Letters Testamentary filed 1/22/2015, continued:

- [Summary of pages 3 to 6, describing post-death activities performed by Petitioner to preserve the Estate; summary of ~\$30,533.93 in expenses by Petitioner as outlined on pages 7 to 8:]
 - Met with Attorney Emory Wishon following phone call to Petitioner from Attorney Russell Ryan informing her she was named Executor; under direction of Mr. Wishon, she immediately changed all locks on the residence to ensure security of the estate; [locksmith **\$575.59**];
 - Tracked down all important papers, bills, etc. pertaining to Ms. McCoon, who did not have an organized system of filing her important papers, making the task extraordinary;
 - Contracted with ADT Security Systems to install security system with surveillance cameras to protect artwork, antique furnishings, Persian rugs, small antiques, etc; the installed cameras provided many video clips of former caregiver and her family removing articles of Ms. McCoon's estate from the house on 12/3/2014 when they abruptly moved out; had surveillance camera installed on front porch; repaired front porch light; [ADT installation @ **\$1,853.89**];
 - Purchased and installed new smoke detectors for the residence;
 - Replaced broken kitchen faucet leaking underneath sink, causing damage;
 - Hired Starr Transfer in the name of the Estate of BJ McCoon for their experience in handling antiques and artwork, and directed them to pack and move every painting and drawing stored on the premises; moving company made special crate at her request for large portrait of Petitioner's grandmother (Decedent's mother); all art and antiques are locked in secure warehouse; [moving and storage **\$15,810.50**];
 - Photographed and logged in her inventory list every painting and assigned each box with a number corresponding to inventory list; entire job of moving Ms. McCoon's body of work, sculptures, antiques, etc., took over 2 weeks;
 - Had locks re-keyed again following theft by Rhonda Morris, and had the driveway gate made inoperable and boarded; secured the barn which contained items;
 - Hired cleaning crew to help clean vast amount of trash and filth left behind by caregiver and her family, who trashed the residence into a complete disaster and stole many items; [cleaning **\$600.00**; trash haul **\$350.00**];
 - Installed new Internet and Wi-Fi at residence to monitor the property from her home in Calabasas; installed new motion light on side of garage to deter intrusion and theft;
 - Took Ms. McCoon's elderly cat to no-kill shelter at substantial cost because of his age and ill health; she did not want the cat abandoned and could not take the cat herself;
 - Found a home for several hens and a rooster that were abandoned by caregiver with no food or water in a filthy chicken yard; arranged for a new coop with new owner; prevented Animal Control from removing Ms. McCoon's pet peacocks that were reported;
 - From 10/14/2014 to 12/15/[2014], she spent **48 days** in Fresno taking care of Ms. McCoon's Estate; [lodging **\$5,847.22**; gas **\$452.39**];

Special Administration with General powers under \$250,000

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|--|--|--|--|
| DOD: 10/9/2014 | GAY MITCHELL , niece, and ELVA VAN BUSKIRK , sister, are Petitioners and request appointment of GAY MITCHELL as Special Administrator with general powers (without IAEA) with bond set at \$100,000.00 . | | NEEDS/PROBLEMS/ COMMENTS: Note: <i>Petition does not request any IAEA authority (full or limited), and the Petitioners' Declaration of Publication filed 2/18/2015 does not support full IAEA authority. Probate Code §§ 9610 et seq., and §§ 9650 et seq., require court supervision of specific administrative transactions and actions taken where no IAEA authority has been granted. Pursuant to Probate Code § 10401, judicial orders, authorization, approval, confirmation or instructions are required for many actions during administration, which might otherwise be accomplished without Court authorization for a personal representative with full or limited IAEA authority.</i> ~Please see additional page~ |
| Cont. from | Full IAEA — not requested | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | [Decedent died intestate – see note.] | | |
| <input type="checkbox"/> Inventory | Residence — Fresno | | |
| <input type="checkbox"/> PTC | Publication — Business Journal | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input checked="" type="checkbox"/> Notice of Hrg | Estimated value of the Estate: Real property \$390,000.00 Personal property \$100,000.00 Total \$490,000.00 | | |
| <input checked="" type="checkbox"/> Aff.Mail | W/ | | |
| <input checked="" type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | | |
| <input type="checkbox"/> Pers.Serv. | | | |
| <input type="checkbox"/> Conf. Screen | | | |
| <input checked="" type="checkbox"/> Letters | | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input checked="" type="checkbox"/> Order | | | |
| <input type="checkbox"/> Aff. Posting | | | |
| <input type="checkbox"/> Status Rpt | | | |
| <input type="checkbox"/> UCCJEA | | | |
| <input type="checkbox"/> Citation | | | |
| <input type="checkbox"/> FTB Notice | | | |

Probate Referee: **Rick Smith**

Petitioners state:

- There is a dispute regarding the validity and enforceability of the document titled the Last Will and Testament of B.J. McCoon;
- To the extent the Court determines it necessary pending the resolution of the dispute to appoint a special administrator, then Petitioners request they be appointed;
- Petitioner Gay Mitchell, as Decedent's niece, should be afforded priority to be appointed (Probate Code § 8541(b));
- Decedent was a widow and had no issue; she is survived by her sister, Petitioner Elva Van Buskirk, who has priority under Probate Code § 8461(f); Elva has elected to nominate her niece, Gay, to serve as personal representative (*signed nomination attached*);
- Given that Gay was nominated by a person with priority, Gay should be afforded priority for appointment.

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| Reviewed by: LEG |
| Reviewed on: 3/4/15 |
| Updates: |
| Recommendation: |
| File 10B – McCoon |

NEEDS/PROBLEMS/COMMENTS, continued:

1. Item 2(b)(4) of the *Petition* requests appointment of special administrator with general powers. It appears Petitioners seek to proceed with general powers for the appointment of special administrator; however, *Declaration of Publication* filed 2/18/2015 shows that these powers have not been included in the publication for the *Petition for Letters of Special Administration with General Powers*.
2. Item 8 of the *Petition* does not but should list the following heirs of Decedent: **JODY MONTGOMERY**, niece, and **PATRICIA VAN BUSKIRK**, niece (*Despite that they are not entitled to notice, their names should be listed.*)
3. Bond is required in the sum of **\$490,000.00** pursuant to Probate Code § 8480, rather than **\$100,000.00** as Petitioners request, unless the Court fixes a different sum for bond.

Note: If *Petition* is granted, Court will set Status Hearings as follows:

- **Monday April 6, 2015 at 9:00 a.m. in Dept. 303** for the filing of proof of **\$490,000.00** bond;
- **Wednesday, August 5, 2015 at 9:00 a.m. in Dept. 303** for the filing of final inventory and appraisal; and
- **Thursday, May 5, 2016 at 9:00 a.m. in Dept. 303** for the filing of first account and/or petition for final distribution.

Per Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

10C Betty Jean McCoon (Estate)**Case No. 14CEPR01117****Atty Wishon, A. Emory, of Motschiedler, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)****Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)****Petition for Letters of Administration**

| | | | |
|-------------------------------------|----------------------|--|--|
| DOD: 10/9/2014 | | GAY MITCHELL , niece, and ELVA VAN BUSKIRK , sister, are Petitioners and request appointment of GAY MITCHELL as Administrator (without IAEA) with bond set at \$100,000.00 . Full IAEA — not requested <i>Decedent died intestate.</i> Residence — Fresno Publication — Business Journal <u>Estimated value of the Estate:</u> Real property \$390,000.00 Personal property \$100,000.00 Total \$490,000.00 Probate Referee: Rick Smith | NEEDS/PROBLEMS/ COMMENTS: <u>Note:</u> <i>Petition</i> does not request any IAEA authority (full or limited), and the Petitioners' Declaration of Publication filed 2/18/2015 does not support full IAEA authority. Probate Code §§ 9610 et seq., and §§ 9650 et seq., require court supervision of specific administrative transactions and actions taken where no IAEA authority has been granted. Pursuant to Probate Code § 10401, judicial orders, authorization, approval, confirmation or instructions are required for many actions during administration, which might otherwise be accomplished without Court authorization for a personal representative with full or limited IAEA authority. ~Please see additional page~ |
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| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail W/ | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |

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| Reviewed by: LEG |
| Reviewed on: 3/4/15 |
| Updates: |
| Recommendation: |
| File 10C – McCoon |

10C

NEEDS/PROBLEMS/COMMENTS, continued:

4. Item 8 of the *Petition* does not but should list the following heirs of Decedent: **JODY MONTGOMERY**, niece, and **PATRICIA VAN BUSKIRK**, niece (*Despite that they are not entitled to notice, their names should be listed.*)
5. Bond is required in the sum of **\$490,000.00** pursuant to Probate Code § 8480, rather than **\$100,000.00** as Petitioners request, unless the Court fixes a different sum for bond.

Note: If *Petition* is granted, Court will set Status Hearings as follows:

- **Monday April 6, 2015 at 9:00 a.m. in Dept. 303** for the filing of proof of **\$490,000.00** bond;
- **Wednesday, August 5, 2015 at 9:00 a.m. in Dept. 303** for the filing of final inventory and appraisal; and
- **Thursday, May 5, 2016 at 9:00 a.m. in Dept. 303** for the filing of first account and/or petition for final distribution.

Per Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

10D Betty Jean McCoon (Estate) **Case No. 14CEPR01117**
Atty Wishon, A. Emory, of Motschiedler, Michaelides, Wishon, Brewer & Ryan (for Petitioner Merilee Everett)
Atty Chielpegian, Mark E.; Cobb, Lee S. W.; of Chielpegian Law Offices (for Contestants Gay Mitchell and Elva Van Buskirk)

**Will Contest and Grounds of Opposition to Probate of Purported Will; and
Opposition to Appointment of Merilee Everett as Executor and/or as Special
Administrator**

| | | | |
|-------------------------------------|--|---|---------------------------------|
| DOD: 10/9/2014 | | <p>GAY MITCHELL, niece, and ELVA VAN BUSKIRK, sister, are Contestants.</p> <p>Contestants allege:</p> <ul style="list-style-type: none"> • Probate of the Purported Will should be denied on the following grounds: <ul style="list-style-type: none"> ○ The Purported Will was not executed in a manner and form required by law; ○ The Purported Will was revoked by Decedent as evidence by the markings on the face of the Purported Will; • Contestants oppose the appointment of MERILEE EVERETT as the personal representative of the estate on the following grounds: <ul style="list-style-type: none"> ○ Contestants dispute the validity of the Purported Will and contend that the Purported Will was revoked in its entirety as evidence by the line outs on the face of the Purported Will; therefore, the appointment of Respondent as executor has been revoked; ○ In the absence of a valid will nominating an executor, Elva Van Buskirk is the person entitled to priority under Probate Code § 8461 (f); she has nominated Gay Mitchell to serve as administrator (nomination attached as Exhibit B); the nominee has priority next after the class of person making the nomination; ○ Respondent is not capable by her own admission of serving as personal representative; in particular, since the Decedent's death she has generally refused to communicate with any of the other heirs at law and related family members; <p align="center"><i>~Please see additional page~</i></p> | NEEDS/PROBLEMS/COMMENTS: |
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| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input checked="" type="checkbox"/> | Summons | | |
| <input checked="" type="checkbox"/> | Akn. Rcpt. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order <input checked="" type="checkbox"/> | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | Reviewed by: LEG Reviewed on: 3/4/15 Updates: Recommendation: File 10D – McCoon | |

Contestants allege, continued:

- Attached as Exhibit C is copy of Respondent's email dated 10/12/2014, in which Everett requests that all communications be directed to her husband, **PAT EVERETT**, given that she was "unfamiliar with legal and financial matters."
- Based on this inability to handle legal and financial matters, Contestants believe Respondent delegated various duties to her husband;
- **PAT EVERETT** has repeated this request, and has directed the heirs and other family members not to contact Respondent (copy of email attached as Exhibit D); thus Pat Everett, a person not entitled to appointment, has unilaterally attempted to assume control of Decedent's estate; Respondent and her husband have also levied threats against the other heirs and family members to stay away from Decedent's house;
- Respondent is estranged from her family including Contestants, and by her own acknowledgment is incapable of effectively communicating with all interested parties regarding the administration; moreover, Respondent was estranged from Decedent for a number of years preceding Decedent's death, and Decedent would not want Respondent to serve as the personal representative of her estate;
- Respondent's petition should be denied because she is not capable of serving as a personal representative, and a person with higher priority has nominated a suitable personal representative who is able and willing to serve;
- In the event the Court is not incline to appoint Contestant Gay Mitchell as the personal representative, Contestants would respectfully request that the **PUBLIC ADMINISTRATOR** be appointed in lieu of Respondent;

Contestants request this Court order that:

1. The Petition filed by Merilee Everett be denied in its entirety;
2. The document titled the Last Will and Testament of B.J. McCoon be denied admission to probate;
3. The request of Merilee Everett to be appointed as the executor of the estate be denied;
4. The request of Gay Mitchell to be appointed as administrator be granted, and Letters of Administration should issue; and
5. The request of Gay Mitchell to be appointed as Special Administrator be granted, and Letters of Special Administration should issue.

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

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|----------------------|-------------------------|--|--|
| DOD: 12/31/14 | | <p>DEBORAH L. BONANDER, sister-in-law, is Petitioner and requests appointment as Administrator with Will Annexed without bond.</p> <p>All heirs waive bond and nominate Petitioner as Administrator.</p> <p>Full IAEA – OK</p> <p>Holographic Will undated</p> <p>Residence: Kingsburg Publication: The Kingsburg Recorder</p> <p>Estimated Value of the Estate: Personal property - \$10,000.00 Real property - 56,000.00 Total - \$66,000.00</p> <p>Probate Referee: RICK SMITH</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, 08/06/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Thursday, 05/05/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p> |
| Cont. from | | | |
| ✓ | Proof Holo Inst. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail w/ | | |
| ✓ | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
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| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

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| Reviewed by: JF |
| Reviewed on: 03/03/15 |
| Updates: 03/04/15 |
| Recommendation: SUBMITTED |
| File 11 - Bonander |

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

| | | | | | | | | | | | |
|--|-----------------------|---|-------------------|----------------|---------------|----------|---------------|--------------|--------------|-----------------------|--|
| DOD: 11/21/12 | | <p>AMANDA BRADY, nominee of SONJA SOLOMONIAN, daughter, is Petitioner and requests appointment as Administrator with full IAEA and bond set at \$200,000.00.</p> <p>Full IAEA – OK</p> <p>Decedent died intestate</p> <p>Residence: Clovis Publication: The Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>- \$ 16,000.00</td> </tr> <tr> <td>Annual income</td> <td>- 100.00</td> </tr> <tr> <td>Real property</td> <td>- 145,000.00</td> </tr> <tr> <td>Total</td> <td>- \$161,100.00</td> </tr> </table> <p>Probate Referee: STEVEN DIEBERT</p> | Personal property | - \$ 16,000.00 | Annual income | - 100.00 | Real property | - 145,000.00 | Total | - \$161,100.00 | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Item 8 of the Petition does not, but should list the address of the proposed Administrator. Need address of Amanda Brady. Petitioner states that the whereabouts of decedent's son, John Richard Solomonian is unknown and could not be located after a diligent search. The Court may require more information and/or continued efforts to provide Mr. Solomonian notice. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> Thursday, 08/06/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and Thursday, 05/05/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p> |
| Personal property | - \$ 16,000.00 | | | | | | | | | | |
| Annual income | - 100.00 | | | | | | | | | | |
| Real property | - 145,000.00 | | | | | | | | | | |
| Total | - \$161,100.00 | | | | | | | | | | |
| Cont. from | | | | | | | | | | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Verified | | | | | | | | | | | |
| <input type="checkbox"/> Inventory | | | | | | | | | | | |
| <input type="checkbox"/> PTC | | | | | | | | | | | |
| <input type="checkbox"/> Not.Cred. | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Aff.Mail | w/ | | | | | | | | | | |
| <input checked="" type="checkbox"/> Aff.Pub. | | | | | | | | | | | |
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| <input type="checkbox"/> Video Receipt | | | | | | | | | | | |
| <input type="checkbox"/> CI Report | | | | | | | | | | | |
| <input type="checkbox"/> 9202 | | | | | | | | | | | |
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| <input type="checkbox"/> UCCJEA | | | | | | | | | | | |
| <input type="checkbox"/> Citation | | | | | | | | | | | |
| <input type="checkbox"/> FTB Notice | | | | | | | | | | | |
| | | <p>Reviewed by: JF</p> <p>Reviewed on: 03/03/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Solomonian</p> | | | | | | | | | |

| | | | |
|--|----|--|--|
| DOD: 04/29/88 | | <p>EVELYN SUE DICKENS, granddaughter, is Petitioner, and requests appointment as Administrator with full IAEA and with bond set at \$60,000.00.</p> <p>Full IAEA – OK</p> <p>Decedent died intestate.</p> <p>Residence: Laton Publication: The Business Journal</p> <p><u>Estimated Value of the Estate:</u> Real property - \$50,000.00</p> <p>Probate Referee: RICK SMITH</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Item 8 of the Petition indicates that the decedent had a predeceased spouse, son and daughter. Need dates of death for Bradford Anderson (spouse), Marion C. Anderson (son), and Jewell Anderson (daughter). Declaration of Evelyn Dickens Regarding Diligent Search for Beneficiaries indicates that Kelly Marie Daniels is the only daughter of post-deceased heir Ralene Anderson Mejia; however, Kelly is not listed in item 8 of the Petition. Further, Petitioner states that Kelly's whereabouts are unknown and notice of these proceedings have not been provided to her. The Court may require more information and/or efforts to locate Ms. Daniels. <p><u>Note:</u> If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> Thursday, 08/06/15 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and Thursday, 05/05/16 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p> |
| Cont. from | | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | | | |
| <input type="checkbox"/> Inventory | | | |
| <input type="checkbox"/> PTC | | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | | |
| <input checked="" type="checkbox"/> Aff.Mail | w/ | | |
| <input checked="" type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | | |
| <input type="checkbox"/> Pers.Serv. | | | |
| <input type="checkbox"/> Conf. Screen | | | |
| <input checked="" type="checkbox"/> Letters | | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input checked="" type="checkbox"/> Order | | | |
| <input type="checkbox"/> Aff. Posting | | | |
| <input type="checkbox"/> Status Rpt | | | |
| <input type="checkbox"/> UCCJEA | | | |
| <input type="checkbox"/> Citation | | | |
| <input type="checkbox"/> FTB Notice | | | |
| | | <p>Reviewed by: JF</p> <p>Reviewed on: 03/03/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Anderson</p> | |

| | | |
|------------------|---|---|
| | On 11-13-14, the Court granted the Petition of the Fresno County Court Investigator to transfer the conservatorship to Tulare County. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | <u>OFF CALENDAR</u> |
| | | |
| Cont from 010815 | The Court set this status hearing for receipt of the transfer. | Tulare County Superior Court received this matter on 12-5-15 and opened Case No. VPR047206. |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: skc |
| | | Reviewed on: 3-3-15 |
| | | Updates: |
| | | Recommendation: |
| | | File 14 - Moreland |

Probate Status Hearing RE: Filing of an Amended Petition

| | | | | | | |
|------------------------|----------------------|--|--|--|--|--|
| DOD: 10/23/2011 | | | BETSY K. McMILLAN , daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12. Inventory & Appraisal, partial no. 1, filed 03/14/12 - \$64,500.00 Inventory & Appraisal, final, filed 11/20/12 - \$72,367.01 Report and Petition for Final Distribution on Waiver of Accounting was heard on 01/22/2015. Minute Order of 01/22/2015 set this matter for hearing. Minute Order states if the petition is filed by 03/03/2015, then no appearance if necessary on 03/05/2015. | NEEDS/PROBLEMS/COMMENTS: 1. Need Amended Petition. | | |
| | | | | | | |
| Cont. from | | | | | | |
| | Aff.Sub.Wit. | | | | | |
| | Verified | | | | | |
| | Inventory | | | | | |
| | PTC | | | | | |
| | Not.Cred. | | | | | |
| | Notice of Hrg | | | | | |
| | Aff.Mail | | | | | |
| | Aff.Pub. | | | | | |
| | Sp.Ntc. | | | | | |
| | Pers.Serv. | | | | | |
| | Conf. Screen | | | | | |
| | Letters | | | | | |
| | Duties/Supp | | | | | |
| | Objections | | | | | |
| | Video Receipt | | | | | |
| | CI Report | | | | | |
| | 9202 | | | | | |
| | Order | | | | | |
| | Aff. Posting | | | | | |
| | Status Rpt | | | | | |
| | UCCJEA | | | | | |
| | Citation | | | | | |
| | FTB Notice | | | | | |
| | | | | Reviewed by: LV | | |
| | | | | Reviewed on: 03/03/2015 | | |
| | | | | Updates: | | |
| | | | | Recommendation: | | |
| | | | | File 15 - Castle | | |

16 **Leticia Wilson (GUARD/P)**
Atty **Cipolla, Katie (pro per Guardian)**
Atty **Palacios, Shannalee (pro per Petitioner/mother)**

Case No. 12CEPR00762

Status Re: Report from Investigator

| | | | |
|--------------------|--|--|--|
| | | <p>SHANNALEE PALACIOS, mother, petitioned the Court to terminate the guardianship.</p> <p>On 11/20/14 the Court denied the Petition for Termination.</p> <p>Minute Order dated 11/20/14.</p> <p>Court Investigator Jennifer Young's Report filed on 1/20/15</p> <p>Minute Order dated 1/22/15.</p> <p>Court Investigator Jennifer Young's Supplemental Report filed on 2/27/15.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> |
| | | | |
| | | | |
| | | | |
| Cont. from 1/22/15 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: KT | |
| | | Reviewed on: 2/27/15 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 16 - Wilson | |

Status Hearing Re: Filing of the Final Accounting

| | | |
|-------------------|---|--|
| DOD: 2-23-09 | DYANNA MATTHEWS was appointed executor with Limited IAEA authority and without bond on 1/14/13. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | <u>Continued to 05/07/2015.</u> <u>Ex Parte Order to Continue Status Hearing was signed on 03/02/2015.</u> |
| | | |
| Cont. from 012215 | Letters issued on 1/22/13. | <p>Minute Order of 01/22/2015: Mr. Garcia is to lodge the order and filed the next accounting or petition to close the estate by 03/05/2015. Both Mr. Garcia and Dyanna Matthews are ordered to be personally present in court or appear via Court Call on 03/05/2015 if the order is not lodged and the petition is not filed.</p> <ol style="list-style-type: none"> 1. Need petition for final distribution. 2. Need Order on the First Report and Account of Personal Representative and Petition for Approval and Settlement Thereof. Pursuant to Minute Order of 06/26/2014 the petition was granted and the order was to be signed ex parte. It appears that the order was never received. |
| Aff.Sub.Wit. | Inventory and appraisal, partial no. 1 filed on 6/21/13 showing a value of \$126,673.00 | |
| Verified | | |
| Inventory | | |
| PTC | Inventory and appraisal, final filed on 9/16/13 showing a value of \$6,033.00. | |
| Not.Cred. | | |
| Notice of Hrg | First Report and Account of Personal Representative and Petition for Approval and Settlement Thereof was heard on 06/26/2014. | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | Minute Order of 06/26/2014 states the petition was granted and the order is to be signed ex parte. (See Examiner Note #2) | |
| Conf. Screen | | |
| Letters | Minute Order of 06/26/2014 set this matter for the filing of the Final Accounting. | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | Reviewed on: 02/27/2015 |
| Aff. Posting | | Updates: 03/03/2015 |
| Status Rpt | | Recommendation: |
| UCCJEA | | File 17 - Brazeal |
| Citation | | |
| FTB Notice | | |

Order to Show Cause RE: Failure to File the First Account

| | | |
|------------------------|--|---|
| DOD: 06/12/2013 | MARC GRAHAM , Son, was appointed Executor without bond on 11-21-13 (no authority under IAEA). Letters issued 11-22-13. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | | |
| Cont. from | Inventory and Appraisal filed 1-30-14 indicated real property only valued at \$200,000.00. | Note: As of 02/11/2015, Marc Graham, has retained Attorney Philip M. Flanigan as counsel. Mr. Graham had been in Pro Per since the beginning of the filing of this Probate Estate. |
| Aff.Sub.Wit. | | |
| Verified | Minute Order of 01/23/2015 set this matter for hearing. Minute Order states The Court issues an Order to Show Cause to Marc Graham as to why he should not be removed for failure to file the first account. Mr. Graham is ordered to be personally present in court or appear via Court Call on 03/05/2015. | 1. Need First Account or Petition for Final Distribution. |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 03/03/2015 |
| | | Updates: |
| | | Recommendation: |
| | | File 18 - Graham |

Atty Hiyama, Dean; Motsenbocker, Gary (for Petitioners Victor G. Romley and Tony Romley)
 Atty Burnside, Leigh W.; Marshall, Jared C. (for Respondent Laura Palos, Successor Trustee)

Probate Status Hearing Re: Obtaining New Co-Counsel

| | | | |
|-----------------------|--|---|---------------------------------|
| DOD: 1/18/2013 | | VICTOR G. ROMLEY and TONY ROMLEY , Petitioners, filed on 1/20/2015 an <i>Ex Parte Motion to Continue Trial</i> , moving for an order continuing the trial set for 2/23/2015 and re-opening discovery until 30 days prior to the new trial date, stating that the motion is made on the grounds that the Petitioners' attorney, Gary Motsenbocker, was unavailable due to a medical illness and substantial discovery remains to be completed, and that the Petitioners are unable to adequately prepare this case for trial whether through new counsel or as self-represented litigants in the time remaining. Minute Order dated 1/29/2015 [Judge Sanderson] from the hearing on the Motion states the Court does not feel that the requested 6-month continuance is appropriate. Mr. Hiyama is admonished to find new co-counsel forthwith. The matter is set for a status update, and parties are directed to be prepared on 3/5/2015 to give a new trial date not more than 3 months out from 3/5/2015. The 2/24/2015 trial date is vacated. Mr. Marshall objects for the record. Discovery dates are also continued. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | | |
| | | | |
| Cont. from | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Fax | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: LEG Reviewed on: 3/3/15 Updates: Recommendation: File 19 – Nettle | |

| | | | | |
|-------------------------------------|----------------------|--|---|---|
| DOD: 6-26-14 | | PERRY CHRISTENSEN , Son, is petitioner. | NEEDS/PROBLEMS/COMMENTS: | |
| | | 40 days since DOD | | |
| | | No other proceedings | <u>CONTINUED TO 4-16-15</u> Per Attorney request | |
| Cont from 012215 | | I&A: \$105,000.00 | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Will dated 7-10-87 | <ol style="list-style-type: none"> 1. Need date of death of deceased spouse pursuant to Local Rule 7.1.1.D. 2. Pursuant to Probate Code §§ 13151, 13152, a petition to determine succession must be brought and verified by all successors in interest. Therefore, need amended petition or joinder by the other four heirs. 3. The decedent's original will has not been deposited with the Court pursuant to Probate Code §8200. | |
| <input checked="" type="checkbox"/> | Verified | Petitioner requests Court determination that the decedent's 100% interest in real property located at 1622 W. Dakota in Fresno passes as follows: <ul style="list-style-type: none"> • Perry Christensen 33.3% • Jenny Tkacz 33.3% • Mark Christensen 11.1% • Kyle Christensen 11.1% • Mark Christensen 11.1% | | |
| <input checked="" type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | | W |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 3-3-15 | |
| | | | Updates: 3-4-15 | |
| | | | Recommendation: | |
| | | | File 20 - Christensen | |

| | | |
|---|--|---------------------------------|
| DOD: 04/30/2008 | DEBORAH HELSEL , Trustee of the Helsel Family Trust Agreement, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | 40 days since DOD | |
| Cont. from 012215 | No other proceedings | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| ✓ Verified | I&A - \$127,000.00 | |
| ✓ Inventory | Will dated: 08/29/2000 devises the entire residue of the estate pass to the Trustee then in office under that trust designated as the Helsel Family Trust Agreement. | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| ✓ Notice of Hrg | | |
| ✓ Aff.Mail | Petitioner requests Court determination that decedent's 1/12 interest in real property located at 30307 Old River Road, Oceanside, Ca. pass to Deborah Helsel, Trustee of the Helsel Family Trust Agreement pursuant to decedent's will. | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| ✓ Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 02/27/2015 |
| | | Updates: Submitted |
| | | Recommendation: |
| | | File 21 - Helsel |

| | | | | |
|--------------------------|----------------------|--|---|---|
| | | <p>ROXANNE SHERMAN, mother, is petitioner.</p> <p>LARENA LEE, paternal great-aunt, was appointed guardian on 4/13/2009.</p> <p>Petitioner states she has not seen her daughter since she was 6 months old. Every time she wanted visitation, the guardian would make an excuse as to why she could not see the minor. Then eventually the guardian changed her number and Petitioner states she lost all contact with her. Petitioner feels that as her mother she has the right to get to know the minor.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/22/15. Minute Order states examiner notes handed in open court; matter continued for the defects to be cured. As of 2/26/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ul style="list-style-type: none"> a. Larena Lee (guardian) <ul style="list-style-type: none"> - Note: a proof of service was filed on 1/8/15 however it does not indicate what documents were served nor does it include the hearing date, time and department. | |
| Cont. from 012215 | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | X |
| <input type="checkbox"/> | Aff.Mail | | | X |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input type="checkbox"/> | Order | | | X |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | <p>Reviewed by: KT</p> <p>Reviewed on: 2/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 - Highsmith</p> | | |

| | | | | |
|-------------------|---------------|--|--|----|
| Age: 6 | | <p align="center"><u>Please see Petition for Details</u></p> | NEEDS/PROBLEMS/COMMENTS: Minute Order of 09/04/2015: Ms. Lopez is sworn and interprets for Mr. Contreras. The Court extends visitation from Saturday at 3pm to Sunday at 6pm. 1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Ulises Chavez Leal (father) – Unless the Court dispenses with Notice • Filimon Chavez (Paternal grandfather) - Unless the Court dispenses with Notice • Paternal Grandmother (Unknown) | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 090414 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | w/ |
| ✓ | Aff.Mail | | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | | | w/ |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: LV | |
| | | | Reviewed on: 02/27/2015 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 23 – Chavez | |

Pro Per Holliman, Susan (Pro Per Petitioner, maternal great-grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

| | | | |
|---------------------------|---------------|--|---|
| | | NO TEMPORARY REQUESTED | NEEDS/PROBLEMS/COMMENTS: <u>Continued from 1/22/2015.</u> <i>Minute Order states examiner notes handed in open court; matter is continued for the remaining defect to be cured. (Note: All defects have now been cured.)</i> |
| | | | |
| | | | |
| | | SUSAN HOLLIMAN , maternal great-grandmother, is Petitioner. | |
| | | <i>~Please see Petition for details~</i> | |
| Cont. from 120414, 012215 | | Court Investigator's Report was filed on 11/18/2014. | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| ✓ | Pers.Serv. | | |
| ✓ | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| ✓ | Clearances | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| ✓ | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: LEG Reviewed on: 3/3/15 Updates: Recommendation: File 24 – Muhammad & Madden |

Petition for Visitation

| | | | |
|------------|---------------|--|--|
| Alex, 5 | | <p>NORMA LEYVA, paternal grandmother, was appointed guardian of the minors on 09/24/2014.</p> <p>Father: ALEX ORTIZ</p> <p>Mother: SELINA GUTIERREZ – served by mail on 01/23/2015</p> <p>Paternal grandfather: PABLO ORTIZ</p> <p>Maternal grandfather: DECEASED Maternal grandmother: LORETTA GUTIERREZ – Served by mail on 01/23/2015</p> <p>Petitioner requests: visits for mother, Selina Gutierrez and the maternal side of the family be on the second and fourth weekend of the month; pickup to be on Friday at 6:00pm and return at 5:00pm on Sunday with Caress Gutierrez or Sarah Gutierrez to make the exchange. The exchange to take place at McDonald's on Ashlan and West. Visits with mother, Selina Gutierrez, are to be supervised at all times by one of the following family members Caress Gutierrez, Sarah Gutierrez, Loretta Gutierrez, or Melissa Gutierrez to ensure the safety of the children. Petitioner states the reason she is requesting an exchange location is to other than the family members' home is to avoid confrontations between family members in front of the children. There is no need to have 3 to 4 family members present for the exchange it creates an uncomfortable feeling and prolongs the exchange which makes it harder for the children. Petitioner states they have been unable to come to an agreement in mediation.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Alex Ortiz (Father) Pablo Ortiz (Paternal Grandfather) |
| Julian, 3 | | | |
| | | | |
| | | | |
| Cont. from | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w/ | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | n/a | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | <p>Reviewed by: LV</p> <p>Reviewed on: 03/03/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 25 - Ortiz</p> |

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

| | | | |
|------------|---------------|--|--|
| Reyanna, 3 | | <u>TEMPORARY EXPIRES 03/05/15</u> | NEEDS/PROBLEMS/COMMENTS: |
| Isaac, 1 | | | |
| | | TERESA ANN GARZA , maternal grandmother, is Petitioner. Father: REY VASQUEZ – currently incarcerated; served by mail on 01/13/15 Mother: ERICA ANN ACOSTA – Consent & Waiver of Notice filed 01/06/15 Paternal grandfather: REY HERNANDEZ – Served by mail on 01/13/15 Paternal grandmother: PRISCILLA GARZA – Served by mail on 01/13/15 Maternal grandfather: DECEASED | 1. Proof of Service filed 01/27/15 states that Rey Vasquez (father) was served by mail on 01/13/15; however, personal service is required. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice for Rey Vasquez (father). |
| Cont. from | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w/ | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | x | |
| ✓ | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| ✓ | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | Court Investigator Jennifer Young filed a report on 02/26/15. | Reviewed by: JF |
| | | | Reviewed on: 03/03/15 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 26 - Vasquez |

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

| | | | |
|-------------------------------------|----------------------|--|---|
| Age: 1 | | <u>Please see petition for details.</u> | NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Robert Paul Gonzales (Father) • Candelaria Sanchez (Mother) Note: Notice of Hearing is incomplete. It does not provide the address where Candelaria Sanchez was served. |
| | | | |
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| | | | |
| | | | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input checked="" type="checkbox"/> | Pers.Serv. w/ | | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | Reviewed by: LV Reviewed on: 03/03/2015 Updates: Recommendation: File 27 - Gonzales | |

| | | | | |
|--------------------------|---------------|--|--|---|
| Alexis Age: 9 | | <p align="center"><u>Please see petition for details</u></p> | NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Phillip Hughitt (Father) • Joy Olyer (Mother) | |
| Jaden Age 7 | | | | |
| | | | | |
| | | | | |
| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | x |
| <input type="checkbox"/> | Aff.Mail | | | |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | x |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| ✓ | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | | Reviewed by: LV | |
| | | | Reviewed on: 03/03/2015 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 28 - Hughitt | |

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

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|---|---------------|---------------------------|---|---|
| | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: 1. This minor is a ward of the Juvenile Delinquency Court. Therefore, this Probate Court does not have jurisdiction to grant a temporary or general guardianship for this minor. Petitioner may wish to pursue placement in the proper Court. <u>If this petition goes forward, the following issues exist:</u> 2. Need Child Information Attachment (GC-210CA). 3. Notice of Hearing. 4. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on: - Mother (Name not provided) 5. Notice to the minor's juvenile probation officer / County of Fresno may also be required. | |
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| | | | | |
| | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | x |
| | Aff.Mail | | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | x |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 3-3-15 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 29 - Byrd | |

| | | | | | |
|------------|---------------|--|--|--|--|
| Age: 9 | | <u>NO TEMPORARY REQUESTED</u> | | NEEDS/PROBLEMS/COMMENTS: | |
| | | KAYSIA BARR , maternal grandmother is | | See page 30 for related petition regarding Allison's sister Anna. 1. Affidavit of Non-Service filed 02/03/15 states that efforts to serve Richard Holt (father) have been unsuccessful. If diligence is not found, need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Estate</i> <u>or</u> Consent & Waiver of Notice for Richard Holt. 2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Estate</i> for Anna Holt (sister). | |
| | | Petitioner and requests that KAYSIA BARR | | | |
| | | and KEITH BARR , maternal grandmother and | | | |
| | | maternal uncle, be appointed as Co-Guardians of the Estate. | | | |
| Cont. from | | Father: RICHARD HOLT – <i>Affidavit of Non-Service filed 02/03/15</i> | | | |
| | Aff.Sub.Wit. | Mother: KANDY HOLT - deceased | | | |
| ✓ | Verified | Paternal grandfather: DECEASED | | | |
| | Inventory | Paternal grandmother: PENNY HOLT – Served by mail on 01/22/15 | | | |
| | PTC | Maternal grandfather: DAVID BARR – Consent & Waiver of Notice filed 01/16/15 | | | |
| | Not.Cred. | Sibling: ANNA HOLT | | | |
| ✓ | Notice of Hrg | Petitioner states that Allison's mother died in November 2014 and Allison is a beneficiary of her mother's life insurance and is also eligible to receive social security benefits. Petitioner alleges that the children's father is abusive and has an explosive temper and that the girls (Allison and Anna) do not want to live with him. Petitioner proposes to deposit all funds received on behalf of the minor into a blocked account. | | | |
| ✓ | Aff.Mail | w/ | | | |
| | Aff.Pub. | | | | |
| | Sp.Ntc. | | | | |
| ✓ | Pers.Serv. | w/ | | | |
| ✓ | Conf. Screen | | | | |
| ✓ | Letters | | | | |
| ✓ | Duties/Supp | | | | |
| | Objections | | | | |
| | Video Receipt | | | | |
| | CI Report | n/a | | | |
| | 9202 | | | | |
| ✓ | Order | | | | |
| | Aff. Posting | | | | |
| | Status Rpt | | | | |
| | UCCJEA | | | | |
| | Citation | | | | |
| | FTB Notice | | | | |
| | | <u>Estimated Value of the Estate:</u> Personal property - \$50,000.00 | | Reviewed by: JF Reviewed on: 03/03/15 Updates: Recommendation: File 30 – Holt | |

Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

| | | | | | |
|------------|---------------|---|--|---|--|
| Age: 13 | | <u>NO TEMPORARY REQUESTED</u> | | NEEDS/PROBLEMS/COMMENTS: | |
| | | KAYSIA BARR , maternal grandmother is Petitioner and requests that KAYSIA BARR and KEITH BARR , maternal grandmother and maternal uncle, be appointed as Co-Guardians of the Estate. | | 3. Affidavit of Non-Service filed 02/03/15 states that efforts to serve Richard Holt (father) have been unsuccessful. If diligence is not found, need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Estate <u>or</u> Consent & Waiver of Notice for Richard Holt. | |
| Cont. from | | Father: RICHARD HOLT – Affidavit of Non-Service filed 02/03/15 | | 4. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Estate for Anna Holt (minor). | |
| | Aff.Sub.Wit. | | | | |
| ✓ | Verified | | | | |
| | Inventory | | | | |
| | PTC | | | | |
| | Not.Cred. | | | | |
| ✓ | Notice of Hrg | | | | |
| ✓ | Aff.Mail | w/ | | | |
| | Aff.Pub. | | | | |
| | Sp.Ntc. | | | | |
| ✓ | Pers.Serv. | w/ | | | |
| ✓ | Conf. Screen | | | | |
| ✓ | Letters | | | | |
| ✓ | Duties/Supp | | | | |
| | Objections | | | | |
| | Video Receipt | | | | |
| | CI Report | | | | |
| | 9202 | | | | |
| ✓ | Order | | | | |
| | Aff. Posting | | | | |
| | Status Rpt | | | | |
| | UCCJEA | | | | |
| | Citation | | | | |
| | FTB Notice | | | | |
| | | Mother: KANDY HOLT - deceased | | | |
| | | Paternal grandfather: DECEASED | | | |
| | | Paternal grandmother: PENNY HOLT – Served by mail on 01/22/15 | | | |
| | | Maternal grandfather: DAVID BARR – Consent & Waiver of Notice filed 01/16/15 | | | |
| | | Sibling: ANNA HOLT – Served by mail on 01/22/15 | | | |
| | | Petitioner states that Anna's mother died in November 2014 and the minor is a beneficiary of her mother's life insurance and is also eligible to receive social security benefits. Petitioner alleges that the children's father is abusive and has an explosive temper and that the girls (Anna and Allison) do not want to live with him. Petitioner proposes to deposit all funds received on behalf of the minor into a blocked account. | | | |
| | | <u>Estimated Value of the Estate:</u> Personal property - \$50,000.00 | | | |
| | | | | Reviewed by: JF | |
| | | | | Reviewed on: 03/04/15 | |
| | | | | Updates: | |
| | | | | Recommendation: | |
| | | | | File 31 - Holt | |

Petition for Appointment of Temporary Conservator of the Estate

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|--------------------------|----------------------|---------------------------|---|---|
| | | See petition for details. | NEEDS/PROBLEMS/ COMMENTS: Court Investigator Advised Rights (via telephone) on 2/20/15. <u>Note:</u> The temporary was granted ex parte on 2/17/15 with bond set at \$31,450.00. Bond has not been filed and Temporary Letters have not issued. On 2/26/15, Temporary Letters were extended for the sole purpose of release of the vehicle from impound, and the Court authorized up to \$1,600 for this purpose. The following issue remains: 1. Petitioner filed proof of service for the Conservatee and relatives; however, Petitioner did not use Notice of Hearing Form GC-020, which contains mandatory language pursuant to Probate Code §1211 and is mandatory in Conservatorship proceedings. | |
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| | | | | |
| Cont. from 022615 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | X |
| ✓ | Aff.Mail | | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | | | |
| ✓ | Conf. Screen | | | |
| | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| | 9202 | | | |
| | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: KT | |
| | | | Reviewed on: 2/25/15 | |
| | | | Updates: 3/3/15 (skc) | |
| | | | Recommendation: | |
| | | | File 32 - Moses | |